

From: <rand44@charter.net>
To: <mthomas@waterboards.ca.gov>
Date: Wednesday, November 15, 2006 10:23:58 AM
Subject: Objection to proposed CDO

Wednesday, November 15, 2006

Michael Thomas
Assistant Executive Officer
Central Coast RWQCB
895 Areovista Place, Ste 101

RE: Proposed CDO 1013

Mr. Thomas:

I want to place our names on record that we object to the proposed Cease and Desist Order by The Regional Water Quality Control Board staff. Our objections are based on the following:

- 1) The civil authorities for the area are the Los Osos Community Services District and the County of San Luis Obispo. They have assumed primary responsibility for the water quality in Los Osos. Any remedial action should be directed against them.
- 2) There is no evidence that our septic system is contributing to the nitrate concentrations in the water. It was permitted by the San Luis Obispo County Planning and Building Department and inspected and approved by them upon installation. Our system is over 50 feet above the water table and it has been properly maintained. We have no objection to having our system pumped, inspected and, if necessary, repaired. We are willing to enter into an agreement with the Water Board Staff for such an action and feel there is no need for a Cease and Desist Order.
- 3) Our house was built in 1977. At that time there was no other residence on our street closer than 100 feet. Since the imposition of the building moratorium in 1983, three or four new residences were built within 100 feet of our house. No action was taken to enforce the building moratorium, but now we are the ones being told that we are in violation.
- 4) The proposed action will adversely affect our ability to connect to any subsequent waste water treatment process. Any residence with a CDO will find it difficult, if not impossible, to obtain the necessary financing to pay for hook-up our lender has told us they will refuse to make a loan on any residence with a CDO. This will ultimately defeat the purpose of the proposed CDO.

While we don't plan to submit any written evidence, we want to reserve the right to be included with the other Designated Parties in objecting to the proposed CDO's and have any evidence submitted to the Board applied to our case. Specifically, but not limited to, that submitted by the Los Osos Community Services District, its representatives and attorneys.

Respectfully,

Randall E Schuldt
Carol M Schuldt
1115 Fifteenth St.
Los Osos, CA 93402

CC: <rsato@waterboards.ca.gov>